

Utah Antidiscrimination and Labor Advisory Council
Meeting Minutes
May 8, 2008
12:00 pm to 12:35 pm
Room 319

Council Members in attendance:

Sherrie Hayashi, Commissioner
Heather Morrison, UALD Division Director
Rick Thaler, General Public Representative
Marty Blaustein, Tenant Representative
Tony Montano, Employee Representative
John Chindlund, Employer Representative
Michael Styles, General Public Representative

Commission Staff in attendance

Alan Hennebold, Deputy Commissioner
Sara Danielson, Council Secretary
Brent Asay, Wage Claim Unit Manager
Monica Austen-Smith, Employment Discrimination Case Manager
Bel Randall, ADR Coordinator

Not in attendance:

James Deans, Landlord Representative
Jathan Janove, Employer Representative - Excused
John Salazar Sr., Employee Representative
Alison Draper, Tenant Representative
Keith Nielson, Landlord Representative
Monica Whalen, Employer Representative
Robert Wilde, Employee Representative
Ralph Chamness, General Public Representative
Hap Stephens, Fair Housing Case Manager

Commissioner Hayashi called the council meeting to order at 12:00 pm. Sherrie welcomed everyone.

Approval of Minutes for the Last meeting

A quorum of the council was not present, so approval of the minutes was tabled until the August 7, 2008 meeting. (November, February and May minutes will be up for approval.)

Discussion Issues

Changes to Attorney's Fees in Wage Claims –

Heather Morrison explained that the Commission has recently changed the rule regarding attorney's fees in wage claim cases to match the statute. The statute was changed in 1998 to remove the authority of the Commission to award attorney's fees in wage claim cases.

Heather and Sherrie asked the council for advice on whether or not the Commission should propose legislation to put the authority to award attorney's fees in wage claims, back in the statute. They also asked for suggestions on how attorney fees should be structured if put back in the statute.

Discussion was held. Rick Thaler offered to have a summer clerk work on researching the legislative history of the statutory change and how other states handle attorney fees in wage claim cases. Further discussion will be had at the next council meeting.

Reduction in EEOC Funding –

Heather explained that EEOC will most likely be cutting the funding to UALD. The anticipated amount will be 12%. She stated that Congress had fully funded FEPAs, but that OMB had diverted the funding and given it directly to EEOC.

Heather stated that she and Sherrie would be meeting with Utah's Senators and Representatives to educate them on this issue and the impact it will have on UALD. She asked if there were any council members that would be willing to go along to these meetings. Michael Styles volunteered. It was suggested the Ralph Chamness be asked to participate.

Business & Labor Interim Committee Meeting on May 21 –

Heather stated that the Business and Labor Interim Committee would be meeting on May 21, 2008, to discuss the issue of sexual orientation /gender identity being added as a protected class. She explained that the Commission had been asked to provide information to the Committee at that time on the number of calls the Division receives regarding these classes. Heather stated that on average they receive about four calls a month.

Sherrie adjourned the meeting at 12:35 pm.

Next Meeting – August 7, 2008